

Wednesday, October 31, 2012

9:00 – 4:30 Sierra Hearing Room

**“Beverage”** per PRC 14504.(a) means a product that is in liquid, ready-to-drink form, and are intended for human consumption.

(b) Beverage does not include any of the following:

(1) Any product sold in a container that is not an aluminum beverage container, a glass container, a plastic beverage container, or a bimetal container.

(2) **Wine & Distilled Spirits**, or wine from which alcohol has been removed, in whole or in part, whether or not sparkling or carbonated.

(3) **Milk**, per California Code of Regulations Section 2000 – Definition, “milk” means the lacteal secretion which is obtained from the udder of a cow or goat.

Include:

- Non-drinkable consumer products, of the same container material type such as shampoo, cleaning products, ketchup, mustard, dishwashing liquid soap, hand & body lotion etc.
- Drinkable beverage products but are currently deemed “Out”, such as meal replacements, dietary supplements, energy shots, mixers etc.
- In general, if beverage type is not specifically “excluded” from PRC definition of “beverage”, then define beverage type is “In” the program.
- 100% vegetable juice over 16 ounces
- 100% fruit juice over 46 ounces

Additional definitions:

**Infant Formula**, per PRC14504 (c)(1) means any liquid food described or sold as an alternative for human milk for feeding of infants.

**Medical Food**, per PRC 14504 (2)(A)) means a food or beverage that is formulated to be consumed, administered enterally under the supervision of a physician, and that is intended for specific dietary management of diseases or health conditions for which

Wednesday, October 31, 2012

9:00 – 4:30 Sierra Hearing Room

distinctive nutritional requirements, based on recognized scientific principles, are established by medical evaluation.

(B) A “medical food” is a specially formulated and processed product, for the partial or exclusive feeding of a patient by means of oral intake or enteral feeding by tube, and is not a naturally occurring foodstuff used in its natural state.

### **Medical Food (cont’d)**

(C) “Medical Food” includes any product that meets the definition of “medical food” in the federal Food, Drug, and Cosmetic Act (21 U.S.C. Sec. 360ee(b)(3).

**Noncarbonated Soft Drink**, per PRC 14504 (3) means a nonalcoholic, noncarbonated naturally or artificially flavored water containing sugar or sweetener or trace amounts of various elements from both natural and synthetic sources.

**100% fruit juice**, per PRC 14504 (b)(4) in containers that are 46 ounces or more in volume is not included in the Program.